

ORDINANCE NO. 18-114

AN ORDINANCE OF THE CITY OF FORT STOCKTON, TEXAS, AMENDING CHAPTER 7 OF THE CITY OF FORT STOCKTON CODE OF ORDINANCES, CEMETERIES\*, ARTICLE II. ADMINISTRATION AND ARTICLE III. EAST HILL CEMETERY; & REPEALING ALL OTHER ORDINANCES OR PORTIONS THEREOF IN CONFLICT, PROVIDING FOR AN EFFECTIVE DATE AND A SEVERABILITY CLAUSE.

WHEREAS, the City Council has determined that the changes set forth would be in the best interest of the citizens of Fort Stockton.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FORT STOCKTON, PECOS COUNTY, TEXAS:

**CHAPTER 7 - CEMETERIES\***

Sec. 7-1. – 7-15. Reserved \*\*\*

**ARTICLE II. - ADMINISTRATION**

Sec. 7-16. - Cemetery Advisory Board.

The Cemetery Advisory Board's duty is to draft rules and regulations regarding the operation of the cemetery. The board shall assist the City in an advisory capacity and promulgate additional rules and regulations regarding the cemetery or as may be adopted by the City Council by proper ordinance.

The Cemetery Advisory Board shall consist of five (5) members who shall be appointed by the City Council for an indefinite term. Three (3) Members constitute a quorum for the transaction of the Board. The Officers of the Board shall be a Chairman and a Vice-Chairman who shall be elected by Members of the Board on the first meeting of each calendar year and shall serve for a 1-year term.

Meetings shall be held at 10:00 a.m. and as needed but not less than once quarterly. The Chairman shall conduct all business meetings and shall be the public spokesperson for the Board, shall have the authority to call special meetings of the Board, and shall interpret decisions to the media and to the City Council. The Chairman with assistance from Members shall set the agenda for Board meetings. The Vice-Chairman shall assume the duties of the Chairman in his or her absence.

In the event of three (3) consecutive unexcused absences by a member of the board within a calendar year from regularly scheduled meetings, a board member shall be deemed to have resigned. Each month a report shall be submitted to the City Council indicating the cumulative attendance of each member with notation of members who have been absent from three (3) consecutive meetings.

Sec. 7-17. \*\*\*

Secs. 7-18. – 7-30. Reserved. \*\*\*

**ARTICLE III. EAST HILL CEMETERY**

Sec. 7-31. \*\*\*

Sec. 7-32. - Price of Plots.

Hereafter and until such time as the City Council shall change the price thereof, each plot for a regular size grave in the East Hill Cemetery shall be sold for five hundred dollars (\$500.00) each.

Lots in Baby I and are 5 ft. X 5 ft. and shall be sold for one hundred ten dollars (\$110.00) each. If a request is made to bury a baby in a regular size grave, then that plot will be sold for five hundred dollars (\$500.00).

Sec. 7-33. \*\*\*

**Sec. 7-34. - Certificates of Ownership for Gravesites.**

The City will issue a certificate of ownership to all owners for gravesites purchased in the East Hill Cemetery.

**(a) – Interment Permit**

Before an interment or burial is held in the cemetery, an Interment Permit shall first be obtained from the City. Before a body is buried, the undertaker or person that is in charge of the interment shall apply for this permit. In no circumstance, shall a body be buried in the cemetery without first advising the City by obtaining this permit.

**(b) Excavation of Gravesite**

In no event, shall any person or persons excavate or dig a new grave, existing grave or remove an interred body from a gravesite without the authorization of the City.

Secs. 7-35. – 7-51. \*\*\*

**Severability.** It is the intention of the City Council of the City of Fort Stockton that if any phrase, sentence, section, or paragraph of this ordinance shall be declared unconstitutional or otherwise invalid by final judgment of a court of competent jurisdiction such unconstitutionally or invalidity shall not affect any of the remainder of this ordinance since the same would have been enacted by the City Council without the incorporation of the unconstitutional or invalid phrase, sentence, section or paragraph.


**Effective.** This ordinance shall become effective immediately upon its adoption and publication as provided by law.

**APPROVED & ADOPTED** on first and final reading this 8<sup>th</sup> day of May, 2018.

  
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**Joe Chris Alexander, Mayor**

  
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**Frank Rodriguez III, City Manager**

Attest:  
  
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**Delma A. Gonzalez, City Secretary**

Approved As To Form & Legality:  
  
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**Jesse Gonzales, Jr., City Attorney**